

United States Department of the Interior

U.S. Fish and Wildlife Service

Arizona Ecological Services Office

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In Reply Refer To:

AESO/SE

22410-2008-F-0531-R001

March 11, 2014

Mr. Michael R. Williams
Forest Supervisor
Kaibab National Forest
800 South Sixth Street
Williams, Arizona 86046-2899

Dear Mr. Williams:

Thank you for your correspondence of February 7, 2014, received in our office on February 11, 2014. This letter documents our review of your request for reinitiation of formal consultation for the McCracken Vegetation Management Project on the Williams Ranger District (District) in Coconino County, Arizona, in compliance with section 7 of the Endangered Species Act of 1973 (ESA) as amended (16 U.S.C. 1531 et seq.). Your correspondence included a determination that the proposed action may affect the Mexican spotted owl (*Strix occidentalis lucida*) and its critical habitat and a January 29, 2014, supplemental biological assessment (BA).

On September 13, 2011, we issued a biological opinion which concluded original formal consultation for the proposed action. That biological opinion concluded that the proposed action was not likely to jeopardize the continued existence of the Mexican spotted owl or adversely modify critical habitat of the species. Incidental take of the species was not anticipated.

In July 2013, a pair of Mexican spotted owls was detected during surveys in the McCracken project area. A 646-acre protected activity center (PAC) with a 100-acre core area was subsequently designated for that pair of owls. The designation of the PAC triggered a need for reinitiation of formal consultation.

The BA stated that the McCracken project may adversely affect the Mexican spotted owl and its critical habitat. The BA also stated that the proposed action will be modified in the following manner:

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- Thinning of 484 acres within the PAC will be modified from precommercial thinning of trees 9 to 12 inches in diameter at breast height (dbh) with 20 to 30 feet between leave trees to thinning of trees up to 9 inches dbh.
- Tree removal will be limited to ponderosa pine, pinyon, and juniper and will focus on suppressed trees, ladder fuels, and trees competing with large Gambel oak. Most young, vigorous, open-grown trees less than 9 inches dbh will be retained.
- Hardwoods and snags 9 inches dbh or larger will not be cut.
- Downed woody debris, snags, and other key habitat components in the PAC will be retained as much as possible. It may be necessary to remove some woody debris if it causes a risk of ladder fuels or increased fuel loading. Activity slash will be hand-piled or scattered. The thinning from below will not reduce canopy cover or large hardwoods and will retain snags larger than 9 inches dbh.
- Prescribed fire and fire line construction will occur inside and outside of the PAC. Cool season and low intensity prescribed burning or pile burning will occur in 75 percent (approximately 484 acres) of the PAC. There are 2.02 miles of existing fire line in the PAC. Fire line construction will include the use of hand tools, chainsaws, ATVs, and dozer. A short section (0.17 mile) of fire line will be constructed in the PAC in order to connect fire line along existing roadbeds. Up to five trees of up to 9 inches dbh will be removed for that fire line construction in the PAC. No new roads are proposed in the PAC.
- No thinning or prescribed burning will occur in the other 162 acres of the PAC which includes the designated 100-acre core area. There will be no fire line construction in the core area.
- Timber hauling trucks will reduce speed on roads in, and up to 0.5 mile from, the PAC to 15 mph maximum.
- The PAC will be monitored every year. If the owl roost or nest locations change, the Forest Service will adapt the implementation schedule and areas to avoid adverse effects to the owls. In accordance with the Recovery Plan (USFWS 2012), if protocol surveys determine that owls are not nesting, then seasonal restrictions on mechanical or prescribed fire treatments may be lifted.

Sixteen types of vegetation treatments will occur outside of and adjacent to the PAC. The BA stated that no modifications are proposed for those treatments. Within 0.25 mile of the PAC, commercial harvest will occur on 728 acres, non-commercial thinning will occur on 415 acres, and burning will occur on 1,177 acres. Within 0.5 mile of the PAC, commercial harvest will occur on 1,420 acres, non-commercial thinning will occur on 780 acres, and burning will occur on 2,307 acres. Commercial harvest will be conducted with machines. Non-commercial thinning will generally be conducted with chainsaws. Created activity slash will be treated by

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prescribed fire, piled (to be burned later), or removed. Seasonal operation restrictions will apply to treatments up to 0.25 to 0.5 mile outside of the PAC depending on topography.

Designation of the PAC necessitated identification of additional recovery nesting/roosting habitat in the project area in order to meet the Mexican spotted owl recovery plan recommendations to allocate 10 percent of the pine-oak cover type in the project area for such recovery habitat. There are 7,430 acres of Mexican spotted owl pine-oak habitat outside of the PAC in the McCracken project area. In order to meet the recovery plan recommendations, 743 acres should be designated for management as recovery nesting/roosting habitat. After designation of the PAC, there are 710 acres of recovery nesting/roosting habitat outside of the PAC in the project area. An additional stand of 53 acres outside of the PAC was designated to be managed as recovery nesting/roosting habitat, resulting in a total of 763 acres (10.26 percent of the total pine-oak cover type) of recovery nesting/roosting habitat outside of the PAC in the McCracken project area

The 53-acre stand (Location 1522, Site 0008) is on the northern slope of Coleman Knoll and is dominated by Gambel oak and ponderosa pine. Species composition across the stand is 90 to 95 percent Gambel oak, 5 to 10 percent ponderosa pine, less than one percent quaking aspen, and less than one percent white fir. Much of the stand, particularly higher on the slope, contains dense thickets of nearly pure Gambel oak with more than 1,000 stems/acre and most of which are less than seven inches dbh. Ponderosa pine and large diameter oak are more abundant in the drainages and in a finger in the northwestern portion of the stand. Aspen and white fir are mostly confined to a drainage near the center of the stand. New Mexican locust is abundant in the understory. Ponderosa pine densities range from 5 to 250 (average of 40) trees per acre, with 0 to 30 (average of 10) trees per acre greater than 12 inches dbh. Yellow pines are scattered throughout the stand, with densities ranging from 0 to 10 (average of 2) trees per acre. The BA stated that while the number of trees per acre may be low, the structure of the habitat offers most of the key habitat components in the recovery nesting/roosting habitat recommendations. The BA also stated that the components that are not represented will likely be present over time as the stand is managed according to recovery nesting/roosting habitat recommendations.

In conclusion, it is our opinion that the jeopardy-level analysis in our original September 13, 2011, biological opinion has not changed, with the addition of the Bear Tank #2 PAC and the changes to the proposed action detailed above, and we conclude again that the proposed action is not likely to jeopardize the continued existence of the Mexican spotted owl. This reinitiation does not result in any additional effects to critical habitat; therefore, our conclusion that the proposed action will not adversely modify critical habitat has not changed from what was described in the September 13, 2011, biological opinion.

We do not anticipate that the proposed action will result in incidental take of Mexican spotted owls based upon our previous analysis in the original opinion, and the modifications to the proposed action that will minimize effects to key habitat components within the PAC and preclude disturbance to Mexican spotted owls during the breeding season. No other modifications of the September 13, 2011, biological opinion are necessary, and the Reinitiation Notice remains the same.

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In keeping with our trust responsibility to American Indian Tribes, when an agency consults with us on a proposed action that may affect Indian lands, Tribal trust resources, or Tribal rights, we provide a copy of the final biological opinion to affected and interested Tribes and the Bureau of Indian Affairs. We also encourage you to coordinate the review of this project with the Arizona Game and Fish Department.

The FWS appreciates the Forest Service's efforts to identify and minimize effects to listed species from this project. For further information, please contact Bill Austin (928) 556-2012 or Shaula Hedwall (928) 556-2118.

Sincerely,

/s/ Brenda Smith for

Steven L. Spangle
Field Supervisor

cc (hard copy):

Director, Aha Makav Cultural Society, Fort Mojave Indian Tribe, Mohave Valley, AZ
Tribal Secretary, Havasupai Tribe, Supai, AZ
Director, Hopi Cultural Preservation Office, Kykotsmovi, AZ
Program Manager, Tribal Historic Preservation Office, Hualapai Tribe, Peach Springs, AZ
Director, Apache Cultural Program, Yavapai-Apache Nation, Camp Verde, AZ
Director, Yavapai Cultural Program, Yavapai-Apache Nation, Camp Verde, AZ
Director, Cultural Research Program, Yavapai-Prescott Indian Tribe, Prescott, AZ
Director, Zuni Heritage and Historic Preservation Office, Zuni, NM
Environmental Specialist, Environmental Services, Western Regional Office,
Bureau of Indian Affairs, Phoenix, AZ

cc (electronic):

District Ranger, Williams Ranger District, Kaibab National Forest, Williams, AZ
Shaula Hedwall, Fish and Wildlife Service, Flagstaff, AZ
Chief, Habitat Branch, Arizona Game and Fish Department, Phoenix, AZ
Regional Supervisor, Arizona Game and Fish Department, Flagstaff, AZ